

distributor; Section 502 (b) (2), all the repackaged tablets failed to bear a label containing an accurate statement of the quantity of the contents; Section 502 (e) (2), the repackaged "sulfa" tablets failed to bear a label containing the common or usual name of each active ingredient of the tablets; and, Sections 502 (f) (1) and (2), the labeling of all the repackaged tablets failed to bear adequate directions for use and adequate warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration, in such manner and form, as are necessary for the protection of users.

On or about April 28, 1952, while a number of *methamphetamine hydrochloride tablets* were being held for sale at Miller's Drug Store, after shipment in interstate commerce, Frank C. Miller, Sr., and Silvio Pesa caused a number of the tablets to be dispensed without a prescription from a practitioner licensed by law to administer such drug. This act of dispensing was contrary to the provisions of Section 503 (b) (1) and resulted in the dispensed drug being misbranded.

DISPOSITION: March 13, 1953. Plea of guilty having been entered by the defendants, the court fined each defendant \$100, plus costs.

3963. Misbranding of diethylstilbestrol tablets and methamphetamine hydrochloride tablets. U. S. v. Harold W. Krupp (Krupp Drug Co.), and Sidney W. Fine. Pleas of nolo contendere. Fine of \$100, plus costs, against each defendant. (F. D. C. No. 33759. Sample Nos. 12084-L, 12111-L, 36626-L.)

INFORMATION FILED: January 28, 1953, Western District of Kentucky, against Harold W. Krupp, trading as the Krupp Drug Co., Louisville, Ky., and Sidney W. Fine, a pharmacist.

NATURE OF CHARGE: On or about April 4 and 24, 1952, while a number of *diethylstilbestrol tablets* and *methamphetamine hydrochloride tablets* were being held for sale at the Krupp Drug Co., after shipment in interstate commerce, various quantities of the drugs were repacked and dispensed without a physician's prescription, which acts resulted in the repackaged drugs being misbranded as follows:

Sections 502 (b) (1) and (2), the repackaged drugs failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; Section 502 (e) (2), the repackaged *diethylstilbestrol tablets* failed to bear the common or usual name of each active ingredient of the drug; and, Sections 502 (f) (1) and (2), the labeling of the repackaged drugs failed to bear adequate directions for use and adequate warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration, in such manner and form, as are necessary for the protection of users. Harold W. Krupp was charged with causing the acts of repacking and dispensing with respect to each of the drugs, and Sidney W. Fine was joined as a defendant in the count of the information relating to the above-mentioned *methamphetamine hydrochloride tablets*.

On or about April 28, 1952, while a number of *methamphetamine hydrochloride tablets* were being held for sale at the Krupp Drug Co., after shipment in interstate commerce, Harold W. Krupp and Sidney W. Fine caused a number of the tablets to be dispensed without a prescription from a practitioner

licensed by law to administer such drug. This act of dispensing was contrary to the provisions of Section 503 (b) (1) and resulted in the dispensed drug being misbranded.

DISPOSITION: March 13, 1953. The defendants having entered pleas of nolo contendere, the court fined each defendant \$100, plus costs.

3964. Misbranding of methamphetamine hydrochloride tablets, diethylstilbestrol tablets, methyltestosterone tablets, and dextro-amphetamine sulfate tablets. U. S. v. Barron's Prescription Pharmacy and Arthur J. Barron and Irving A. Barron. Pleas of guilty. Fine of \$200 against pharmacy, \$100 against Arthur J. Barron, and \$50 against Irving A. Barron. (F. D. C. No. 34327. Sample Nos. 11035-L, 35915-L, 36229-L, 36383-L.)

INFORMATION FILED: March 6, 1953, Northern District of Ohio, against Barron's Prescription Pharmacy, a partnership, Cleveland, Ohio, and Arthur J. Barron and Irving A. Barron, partners in the partnership.

NATURE OF CHARGE: On or about May 12 and 16 and June 2 and 9, 1952, while a number of *methamphetamine hydrochloride tablets, diethylstilbestrol tablets, methyltestosterone tablets, and dextro-amphetamine sulfate tablets* were being held for sale at Barron's Prescription Pharmacy, after shipment in interstate commerce, the defendants caused a number of the tablets to be dispensed without a prescription from a practitioner licensed by law to administer such drugs. These acts of dispensing were contrary to the provisions of Section 503 (b) (1) and resulted in the dispensed drugs being misbranded.

DISPOSITION: March 27, 1953. The defendants having entered pleas of guilty, the court fined the pharmacy \$200, Arthur J. Barron \$100, and Irving A. Barron \$50.

3965. Misbranding of dextro-amphetamine sulfate tablets, methyltestosterone linguets, and sulfadiazine tablets. U. S. v. Morris Rosenberg (Beacon Pharmacy). Plea of guilty. Fine, \$150. (F. D. C. No. 34347. Sample Nos. 10906-L, 35927-L, 36224-L.)

INFORMATION FILED: March 6, 1953, Northern District of Ohio, against Morris Rosenberg, trading as Beacon Pharmacy, Cleveland, Ohio.

NATURE OF CHARGE: On or about May 12 and 19 and June 6, 1952, while a number of *dextro-amphetamine sulfate tablets, methyltestosterone linguets, and sulfadiazine tablets* were being held for sale at the Beacon Pharmacy, after shipment in interstate commerce, the defendant caused quantities of the drugs to be dispensed without a prescription from a practitioner licensed by law to administer such drugs. These acts of dispensing were contrary to the provisions of Section 503 (b) (1) and resulted in the dispensed drugs being misbranded.

DISPOSITION: March 27, 1953. The defendant having entered a plea of guilty, the court fined him \$150.

3966. Misbranding of amphetamine sulfate tablets and pentobarbital sodium capsules. U. S. v. Floyd L. Rice (Dr. F. L. Rice Clinic). Plea of guilty. Fine, \$2,000. (F. D. C. No. 34343. Sample Nos. 61149-L, 61150-L.)

INFORMATION FILED: March 12, 1953, Eastern District of Oklahoma, against Floyd L. Rice, trading as the Dr. F. L. Rice Clinic, Madill, Okla.

NATURE OF CHARGE: On or about November 19, 1952, while a number of *amphetamine sulfate tablets and pentobarbital sodium capsules* were being held